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UNCLAS SECTION 01 OF 02 HO CHI MINH CITY 000710

SIPDIS

SENSITIVE

DEPARTMENT FOR EAP/BCLTV, AND DRL

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TAGS: PHUM PGOV SOCI PREL KIRF VM RELFREE HUMANR

SUBJECT: PROTESTANT CHURCH CAN STAY -- FOR NOW

REF: (A) HCMC 520 (B) HCMC 551

1. (SBU) Summary: The HCMC People's Committee has decided that an illegally constructed Protestant church in the Thu Thiem area of District 2 can remain open as a house of worship, pending approval of the required permits. While city officials made clear that they hold both church leaders and local authorities responsible for the current impasse, they have nonetheless promised to speed necessary approvals to allow the church to build a new, legal structure. End summary.

2. (SBU) Acting Consul General raised the issue of a Protestant house church recently constructed without permission in HCMC's District 2 (reftels) during a meeting with Mr. Nguyen Thanh Tai, Vice Chairman of the HCMC People's Committee. Vice Chairman Tai's portfolio includes religious affairs. Noting that the new church's difficulties in obtaining the required permits had been publicized in a press release by Compass Direct, A/CG offered the Vice Chairman an opportunity to provide his views on the situation.

3. (SBU) Vice Chairman Tai seemed immediately aware of the controversy surrounding the new structure and took advantage of the opportunity to present the "official" version of events to avoid "misinformation." Recounting the recent history of the disputed property, he said that people from the local house church congregation had originally bought the land under their own names, then later claimed they wanted to use it for their "house of worship" (this term was used repeatedly, rather than the more common Vietnamese word for "church"). That change from a private to a public purpose led to the current dispute over land-use rights and created delays in the issuance of permits.

4. (SBU) Permission to build was also held up pending official recognition for the "new" congregation. (Note: Pastor Truong Van Nganh, leader of the District 2 congregation, is a legally recognized pastor with the official Southern Evangelical Church of Vietnam (SECV). It is not clear, however, whether that status entitles him automatically to open a legal church in another location. End note.) A lack of clear communication between the parties only exacerbated the problem. Meanwhile, some members of the congregation "took advantage" of the situation to commence the unauthorized construction.

5. (SBU) Upon learning of the problem, Vice Chairman Tai immediately convened a meeting with SECV representatives and local authorities from District 2. (Note: This would appear to be the meeting that was described in the Compass Direct report as an appointment with the Committee for Religious Affairs. End note.) He reprimanded Pastor Nganh for setting a bad example and chastised him for failing to observe safe building practices at a site that was deemed to be "sacred" (the Vice Chairman's word) and would house many worshippers.

6. (SBU) Stating up front that the Pastor had broken the law and would need to eventually tear down the structure, the Vice Chairman laid out additional steps the church could take to build a legal structure on the site. Based on what he called the "spiritual need" for a church in the area, however, he gave the congregation permission to use the illegal building until they received their permit for a new building. At the same time, he blamed the local authorities for delaying the permits and required them to sign a document admitting their mistakes. He then directed the relevant authorities to make sure the land was properly demarcated and the permits issued.

7. (SBU) Pastor Nganh reported to ConGenoffs earlier that he had submitted an application for an address for the new church on July 21. The local authorities had denied his request on the grounds that the construction was illegal. On July 25, the People's Committee of District 2 had levied a fine for the illegal construction and ordered him to remove the offending structure. He was also instructed to withdraw an earlier complaint regarding the initial denial of his permit and write a letter seeking reexamination of the issues related to his violation. While Pastor Nganh felt compelled to comply with these requirements during the meeting, he had subsequently complained to the HCMC Committee for Religious Affairs. He was still awaiting their response. A number of house church pastors associated with the project but unaffiliated with the SECV criticized Pastor Nganh for his compromise and pledged to hold the line against removing the current structure.

18. (SBU) Comment: At this point, the ball seems to rest firmly in the hands of Pastor Nganh and his followers. Are they willing and financially able to remove the old church and build a new one? If so, can they overcome "hard-line" elements in the church that consider the victory already won and don't want to back down? While there would still seem to be many questions regarding the legal status of the congregation in District 2, the highest levels of the city administration have clearly given them the go-ahead to carry on religious activities at the site now and in the future if they accept the compromise that has been offered.

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